



8 June 2016

To: President Jean-Claude Juncker, Head of the European Commission

CC: EU Commissioners, EU Environment Ministers, and EU Health Ministers

Dear President Juncker,

On 15 June, you and the EU College of Commissioners will be taking a major decision on the criteria to identify Endocrine Disrupting Chemicals (EDCs). We write to you about this decision as representatives of society, and members of over 65 organisations from the EDC-Free Europe coalition across the EU and beyond. Our public interest groups include public health and cancer prevention advocates, health care professionals, consumers, farmers, and environment and health organisations.

We are expecting from you and your colleagues that:

1. The EU Commission will uphold its obligations under specific EU laws and under the Treaty on the Functioning of the EU;
2. The EU Commission will take up the best available scientific evidence, and;
3. The EU Commission will think and act effectively to move the EU into a more dynamic, innovative, healthy and environmentally sustainable industrial and agricultural future.

a) Will the EU Commission uphold its obligations under the TFEU and under 1107/2009 and 528/2012?

The obligation of the EU Commission is to now decide on scientific criteria by which endocrine disrupting properties can be IDENTIFIED. This means **any potential text changes beyond pure identification, such as potency or ‘hazard characterisation’** (see below), **would change the balance which the law strikes between protection of human/animal health/environment and the internal market and would be unacceptable and illegal**, as per the EU court of justice ruling in December 2015.

b) Will the EU Commission acknowledge and incorporate the best science in its decision and in the criteria?

The simplest and most robust reflection of the available scientific data is captured with the World Health Organization (WHO) definition and three categories (Option 3 of the Commission Criteria Roadmap). This importantly ensures coherence with other EU laws, such as the CLP Regulation, and allows the most effective decision making on how to convey the total weight of scientific evidence.

In contrast, option 4 of the Roadmap or variations thereof use potency, or how much of a chemical is needed to create an effect, to identify EDCs. Potency will not work for EDCs which affect multiple systems within the body, and also can affect wildlife. Potency, which is addressed in ‘hazard *characterisation*’ is

distinct from and not relevant to EDC identification. Consistent with the various scientific reports that the EU Commission has obtained since 2011 from contracted scientists (Kortenkamp et al), the JRC, and EFSA, the most recent papers are categorical that **potency is not relevant to EDC identification**: see the Consensus Statement from the April 2016 Berlin meeting hosted by the German government, which was hailed as a ‘breakthrough’, and a paper published by Slama et al in a leading Environmental Health journal (1).

c) Will the EU Commission effectively move us to a dynamic industrial and agricultural future by enabling innovation in safer chemicals?

The EU pesticides and biocides laws of 2009 and 2012 complement and build on the transition that the REACH chemicals management system is developing towards safer chemicals. The EDC identification criteria are therefore a coherent part of creating the conditions for innovation of safer chemicals, for synergising the potential of these laws, and for consolidating opportunities to expand advances into other product sectors.

The pesticides and biocides laws set out strict controls for EDCs and chemicals that cause cancer, change DNA and harm reproduction. But these laws still allow continued use if needed when there are no safer alternatives, so claims of major agricultural and economic disruption must be treated with caution.

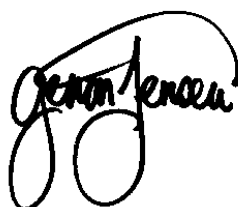
At the same time, the societal impacts of health problems arising from EDCs are typically underestimated. Scientific studies show that these chemicals are very likely contributing to the increases in hormone-related diseases such as breast or testicular cancer, fertility problems, diabetes and obesity as well as learning and behavioural problems in children. In addition to the suffering of individuals and their families, these life threatening diseases come with a cost to Europe’s health systems and worker productivity, estimated in the billions annually for just a few of Endocrine Disrupting Chemicals assessed. A recent study on the “Health costs that may be associated with Endocrine Disrupting Chemicals” found that when looking at only five potentially EDC-health related effects “according to currently available literature, the socio-economic burden ... for the EU may be substantial, ranging between 46 – 288 billion EUR per year” (2).

We therefore look to you to instill confidence in European citizens by upholding the treaty and laws and to choose a path which triggers innovation and protects health at the same time.

Moving us to an environmentally sustainable, healthy, and economically vigorous future requires taking effective steps: choosing the right EDC identification criteria is one of those, and will substantially contribute to the goal of the EU’s 7th Environmental Action Programme to minimise exposure to EDCs.

In view of the public interest in this matter we will make this letter publicly available.

Sincerely,

A handwritten signature in black ink that reads "Genon K. Jensen". The signature is written in a cursive, flowing style with a large loop at the end.

Genon K. Jensen, Executive Director, Health and Environment Alliance (HEAL)

On behalf of the EDC-Free Europe coalition:

Association pour la Protection de l'Environnement et le Développement Durable de Bizerte (A.P.E.D.D.U.B)

Action Cancer du Sein du Quebec

Action for Breast Cancer Foundation (ABCF)

Alliance for Cancer Prevention

Armenian Women for Health and Healthy Environment (AWHHE)

Baltic Environmental Forum

Breast Cancer Action Germany

Breast Cancer UK (BCUK)

BUND (Friends of the Earth Germany)

Center for International Environmental Law (CIEL)

Centre Ecology and Health

Chapaevsk Medical Association

CHEM Trust

ChemSec

Client Earth

Comité pour le Développement Durable en Santé (C2DS)

Commonweal

Corporate Europe Observatory (CEO)

Danish Consumer Council

DES Daughter

Eco Accord

Ecobaby Foundation

Ecocity

Ecodes

Ecologistas en Acción

European Academy of Environmental Medicine (EUROPAEM)

Fondo para la Defensa de la Salud Ambiental (Fodesam)

France Nature Environnement (FNE)

Fundación Alborada

Fundación Vida Sostenible

Fundacion Vivosano

Générations Cobayes

Générations Futures

Gezinsbond

Global 2000

Health and Environment Alliance (HEAL)

Health Care Without Harm Europe (HCWH)

Hej! Support

Hipoalergiczni

Indiana Toxics Action Project

Initiativ Liewensufank

Inter-Environnement Wallonie (IEW)

International Society of Doctors for the Environment (ISDE)

IPEN

Irish Doctors Environmental Association (IDEA)

ISTAS

IVU e.V International Verein fur Umwelterkrankte

Macedonian Association of Doctors for the Environment (MADE)

Mediterranean Information Office for Environment, Culture and Sustainable Development (MIOECSDE)

Naturskyddsforeningen / Swedish Society for Nature Conservation

Pesticide Action Network Germany (PAN Germany)

Pesticide Action Network Europe (PAN Europe)

Physicians For Social Responsibility – Los Angeles

Phyto Victimes

Quercus – National Association for Nature Conservation

Réseau Environnement Santé (RES)

Scottish Hazards Campaign

Stiching Huize Aarde

The Endocrine Disruption Exchange (TEDX)

The Cancer Prevention & Education Society (CPES)

The Danish Ecological Council

TOXISPHERA Environmental Health Association

Union of Construction, Allied Trades and Technicians (UCATT)

Wemos

Women Environment Network (WEN)

Women in Europe for a Common Future (WECF)

Women in Europe for a Common Future France (WECF France)

Women in Europe for a Common Future Germany (WECF Germany)

Women in Europe for a Common Future Netherlands (WECF Netherlands)





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SCOTTISHHAZARDS.
campaign



Notes:

(1) Scientific principles for the identification of endocrine disrupting chemicals – a consensus statement' (May 2016) <http://www.bfr.bund.de/cm/349/scientific-principles-for-the-identification-of-endocrine-disrupting-chemicals-a-consensus-statement.pdf>

Slama et al., 2016, Scientific issues relevant to setting regulatory criteria to identify endocrine disrupting substances in the European Union. *Environmental Health Perspectives*. doi: 10.1289/EHP217 <http://ehp.niehs.nih.gov/ehp217/>

(2) Rijk et al., 2016, Health cost that may be associated with Endocrine Disrupting Chemicals: An inventory, evaluation and way forward to assess the potential socio-economic impact of EDC-associated health effects in the EU http://www.uu.nl/sites/default/files/rijk_et_al_2016_-_report_iras_-_health_cost_associated_with_edcs_3.pdf